



A BILL FOR AN ORDINANCE

RELATING TO CLEAN ENERGY PROJECTS.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Findings and purpose. The Council finds that climate change presents an imminent threat to the State of Hawaii and the residents of the City and County of Honolulu. Rapid consumer adoption of clean energy solutions is essential to increasing resiliency and mitigating the threat of climate change. Permitting requirements can comprise a significant cost in adopting clean energy solutions and have greatly restrained the adoption of clean energy solutions for residents living in townhouses, apartments, and condominiums, thus limiting opportunities for Honolulu residents who want access to cleaner and cheaper sources of energy. Hawaii is likely to be disproportionately impacted by climate change, and a "no regrets" approach to preventing and mitigating the worst impacts of climate change is necessary. Hawaii has an abundance of natural resources and citizens who are keenly interested in clean energy adoption, and the City and County of Honolulu is well-positioned to be a national leader in reducing clean energy costs to its citizens and rapidly deploying clean energy solutions.

Accordingly, the purpose of this ordinance is to develop expedited permitting procedures for consumer clean energy projects in order to support rapid consumer adoption of clean energy solutions while continuing to protect the health and safety of Honolulu's residents.

SECTION 2. Chapter 15, Article 5, Revised Ordinances of Honolulu 1990 ("Permit Issuance"), is amended by adding a new section to be appropriately designated by the Revisor of Ordinances and to read as follows:

"Sec. 18-5. Expedited permit processing for clean energy projects.

(a) As used in this section, "clean energy project" means:

- (1) A solar photovoltaic system, an energy storage system, or an integrated system containing both a solar photovoltaic system and an energy storage system that:
 - (A) Lacks the capacity to generate more than of 20 kW of new renewable electricity or less;



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- (B) Supplies electricity to the project site under any utility tariff or program;
 - (C) Is certified by UL or another nationally recognized testing laboratory, and installed according to manufacturer specifications; and
 - (D) Is roof mounted on a building at the project site;
 - (2) A solar thermal or solar electric hot water heater that:
 - (A) Has a water tank capacity of 130 gallons or less;
 - (B) Provides heated water for use on the project site;
 - (C) Is certified by UL or another nationally recognized testing laboratory, and installed according to manufacturer specifications; and
 - (D) Is structure-mounted on a building at the project site; or
 - (3) An electric vehicle charging station that:
 - (A) Is an AC Level 1 (120 volt) or AC Level 2 (240 volt) device;
 - (B) Is certified by UL or another nationally recognized testing laboratory, and installed according to manufacturer specifications; and
 - (C) Is dedicated for use on site by one or more residents of the project site.
 - (b) In reviewing and issuing permits for clean energy projects, the building official shall:
 - (1) Establish an internet-based expedited permitting process by which all permits required for the operation of a clean energy project are approved or denied within seven calendar days after the submission of a complete application.



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- (A) If a map of the project is required as a means to determine where the clean energy project will be installed, aerial or satellite photographs will be deemed sufficient, provided the photographs reasonably show where the installation is occurring on the property.
 - (B) Floor plans and elevations are not required for plan review.
 - (C) Industry-accepted standardized load calculations will be sufficient or, alternatively, a load calculator must be made available to applicants for use in submissions.
 - (D) If plans are required, the plans will be limited to the clean energy project and not require, among other things, electrical plans for adjacent units unrelated to the clean energy project.
 - (E) If the clean energy project includes a master meter bank, the project applicant or the project applicant's representative shall:
 - (i) Install a DC disconnect in an accessible area of the roof, next to the arrays, which would de-energize the system; and
 - (ii) Create a master building placard, which must consist of a scaled placard at the meter bank that includes the locations of all PV disconnects. The property owner or contractor shall update the master building placard as necessary.
- (2) Close permitting inspection requests within seven calendar days after the date such a request is made.
- (A) Inspection requests must be accepted through electronic mail or an online process that allows transparency and visibility into when the request was made.
 - (B) New processes that expedite the inspection process and reduce workload must be considered, such as:
 - (i) Accepting video or photographic proof of the installation rather than always requiring an in-person inspection;
 - (ii) Creating a centralized or online process to schedule inspections when necessary; and



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- (iii) Creating a spot audit inspection process for contractors with a history of successful inspections and closed permits for clean energy projects.
- (c) If, on or after _____, the building official has not established an internet-based, expedited permitting process pursuant to subsection (b); fails to issue or deny for cause a permit for a clean energy project, within seven days of receiving a complete application, under the expedited permitting process; or fails to approve or deny an inspection request within seven days of the request, then a clean energy project will be deemed compliant with permitting requirements and allowed to commence operation, provided that:
- (1) The building official is notified in writing by the project owner, or an agent of the project owner, that the system has commenced operation;
 - (2) The project owner, or an agent of the project owner, provides the building official with a declaration certifying that the clean energy project is compliant with all applicable codes and standards; and
 - (3) The declaration is supported by the stamp of a duly licensed design professional.
- (d) The licensed design professional providing an affidavit pursuant to subsection (c)(3) must possess commercial general liability insurance with minimum coverage of \$1,000,000 per event.
- (e) If the self-certification requirements of subsection (c) are met, the building official may not retroactively seek further review or documentation related to compliance with local codes for a clean energy project."

SECTION 3. New material is underscored. When revising, compiling, or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the Revisor of Ordinances need not include the underscoring.



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____
BILL **58(2020)**

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SECTION 4. This ordinance takes effect upon its approval.

INTRODUCED BY:

[Signature]

DATE OF INTRODUCTION:

AUG 4 2020

Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20 _____.

KIRK CALDWELL, Mayor
City and County of Honolulu